

**Planning Board  
June 2, 2011  
Agenda Summary Report**

**Proposed Text Amendment for Ordinance #151.216; Permitted Uses in the MB-2 Mainland Mixed Use District.**

Carolina Dreams, LLC has submitted an application for a Zoning Ordinance text amendment to allow several new uses within the MB-2 district. The uses being proposed include: banks, financial institutions, restaurants, cafeterias, barber shops, beauty salons, shoe repair, dry cleaning and laundry, churches, and printers.

The following amendment is being proposed for consideration by the Planning Board (proposed changes are indicated by highlighting):

**Section 151.216 – Permitted Uses**

- (A) Retail sales establishments engaged in retail sales.
- (B) Office buildings.
- (C) Professional or Neighborhood services including: banks, financial institutions, barber and beauty shops, shoe repair, dry cleaning and laundry
- (D) Residential units provided they adhere to the following requirements:
  - (1) The building shall meet the minimum setback requirements of the MB-2 district.
  - (2) In addition to the required off-street parking for the principal use, two off street parking spaces shall be provided for the dwelling unit.
  - (3) The attached dwelling unit shall be located totally above the ground floor of the principal use so as not to interrupt the commercial low density frontage.
- (E) Multi-family dwelling units. The minimum heated space of each unit shall be 1,000 square feet.
- (F) Any Governmental or Institutional Uses.
- (G) Outdoor displays.
  - Allow for outdoor displays without going through the Board of Adjustment process.
  - Allow the business owners to come to the building inspector with a plan so that the inspector can determine that they will not cover the areas required by building and fire codes that must remain open. If they place outdoor displays in these areas the building inspector will fine them and have it corrected.
  - Allow it as a permitted use with the following requirements:
    - 1. No display may be attached to a building's exterior wall surface or windows.

2. No display may be attached to trees or their limbs or on shrubs.
  3. All display are restricted to the area immediately adjacent to the storefront.
- (H) Excluded would be any profession or business requiring boarding of animals; laboratories and or businesses with chemical wastes or outside storage areas; automobile service stations and Industrial uses.
- (I) Modular Buildings will be permitted under the following conditions:
1. Off frame modular only with an Engineered foundation
  2. Must be anchored to prevent flotation, collapse, or lateral movement in accordance with the Regulations for Modular housing adopted by the Commissioner of Insurance pursuant to GS 143.15.
  3. 7/12 minimum roof pitch.
  4. Modular must be labeled indicating compliance with the N.C. Residential Code.
- (J) Private community center.
- (K) Newsrack:
- May not project onto, into or over any part of a roadway, or resting wholly or in part upon, along, or over any portion of a roadway, or resting on a sidewalk.
  - Must be adjacent and parallel to the wall of a building or structure and not more than 6 inches from the wall, unless the Zoning Administrator determines that placement near a building is not suitable, and authorizes alternative placement.
  - Must not cause a significant risk of injury to persons or property, will not interfere with the passage of pedestrians.
  - Maximum of four (4) racks grouped together at any one location. Each group must be located one hundred twenty (120) feet from any other group or individual rack.
  - Each rack shall be maintained in a clean and neat condition and in good repair at all times
  - Racks shall carry no advertising except the name of the newspaper or periodical being dispensed.
- (L) Public utility substations such as water tanks, pumping stations, treatment plants and electric, gas, oil pipeline provided the standards are met.
- (1) Buffer strips per [section 151.095\(F\)](#) shall be provided along side and rear property lines. Except that only one row of planted material will be required to a minimum depth of five feet.
  - (2) Any objectionable odors, noise and/or lighting will be reduced to all reasonable extent.
  - (3) No vehicles or materials shall be stored on site. Except during construction and regular maintenance of facility.
- (M) Accessory structures to commercial uses providing they are developed and operated within the requirements specified below.
- (1) No accessory structure shall be constructed upon a lot until the construction of the main building has commenced.

(2) Accessory structures as defined shall include but not be limited to, storage buildings and swimming pools.

(3) No parcel may contain more than two accessory structures. The combined square footage of the accessory buildings shall not exceed ten percent of the total lot area.

(4) Approved screening shall be required to shield outside storage areas per requirements in [section] 151.095(F).

(5) Accessory structures shall be constructed in the buildable area of the lot.

(6) Construction of accessory structures shall conform to all state codes, FEMA regulations, CAMA and the Town of Sunset Beach Zoning Ordinance.

(N) Food establishments including restaurants and cafeterias. All food establishments developed within the MB-2 district must comply with the following:

(1) No drive through facilities will be permitted.

(2) Parking facilities must be located to the side or rear of the principle structure.

(3) All loading/unloading facilities must be accommodated through the rear of the facility.

(4) All dumpsters, grease traps, and other facilities related to waste disposal must be located to the rear of the facility and shall be screened thoroughly through a combination of opaque fencing and foundation plantings.

(O) Churches

(P) Print shops and photocopy outlets

**Requested Action:** This is a formal request for consideration by the Planning Board. The Planning Board's recommendation will be forwarded to the Town Council for consideration.